

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA ,

Case No. 2:18-cr-00252 -JCM-VCF

Plaintiff,

ORDER

v.

JUAN ANOTONIO ORDONEZ-FUMES, *et al.*,

Defendants.

Presently before the court is Magistrate Judge Ferenbach's report and recommendation ("R&R") in the matter of *USA v. Ordonez-Funes et al*, case no. 2:18-cr-00252-JCM-VCF. (ECF No. 49). No objections have been filed, and the deadline for doing so has passed.

Also before the court is defendant Nicholas Garrot's ("defendant") motion to suppress. (ECF No. 43). The United States of America (the "government") filed a response (ECF No. 44), to which defendant replied. (ECF No. 45).

In his R&R, Magistrate Judge Ferenbach recommends that the court deny defendant's motion to suppress "any and all evidence obtained by warrantless search of the black Cadillac bearing license number KHD9643." (ECF No. 49). Magistrate Judge Ferenbach reasoned that because the "Henderson officers conducted a valid inventory search of [defendant's] car, the evidence seized from the car should not be suppressed." *Id.*

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a de novo

1 determination of those portions of the [report and recommendation] to which objection is made.”
2 28 U.S.C. § 636(b)(1).

3 Where a party fails to object, however, the court is not required to conduct “any review at
4 all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149
5 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a
6 magistrate judge’s report and recommendation where no objections have been filed. *See United*
7 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
8 employed by the district court when reviewing a report and recommendation to which no
9 objections were made).

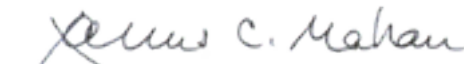
10 Nevertheless, this court conducted a *de novo* review to determine whether to adopt the
11 recommendation of the magistrate judge. Upon reviewing the recommendation and attendant
12 circumstances, this court finds good cause appears to adopt the magistrate judge’s findings in
13 full.

14 Accordingly,

15 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Magistrate Judge
16 Ferenbach’s report and recommendation (ECF No. 49) are ADOPTED in their entirety.

17 IT IS SO ORDERED.

18 DATED THIS 10th day of April 2019.

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21 JAMES C. MAHAN
22 UNITED STATES DISTRICT JUDGE
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